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Application Serial No. 09/675,430

REMARKS/ARGUMENTS

After cancellation of claim in response to two Restriction requirements, claims 1, 3, 5, 7, 9-16, and 19-25 remained pending in this application. Claims 34-37 are added herein. Thus, claims 9-16, 19-25, and 34-37 are pending in this application upon entry of the amendments herein.

In the Office action mailed 02/04/2004, the Examiner indicated on page 7 that claims 9-16 and 19-25 "would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, . . . and to include all limitations of the base claim and any intervening claim." Applicant also acknowledges the Examiner's objections to the claims.

Applicant has rewritten claims 9-16 and 19-25 to conform with these requirements. To address the rejections under 35 U.S.C. 112, second paragraph, for claims 1 and 7, the phrases "optionally comprising" have been removed and new claims 34-36 are provided above to address these limitations in a positive and definite manner. Also, claim 37 is added to preserve subject matter removed from claim 19, which was done to resolve the 35 U.S.C. 112, second paragraph, rejection for this claim.

As to amendments to claim 20, it is noted that an ESL (electrostatic loudspeaker, see page 1, lines 23-24) of the present invention is disclosed to be comprised of a first side and an opposing side with a membrane between (see page 5, line 10 to page 6, line 15, particularly page 6, lines 12-13, and claim 1). Thus, these elements are substituted for the phrase "an affixed ESL." Also, support for the heating to tauten the membrane is found in the specification at page 10, lines 7-9. Similar logic based on the meaning of an ESL as disclosed in the present application was applied to the amendment of claim 25.

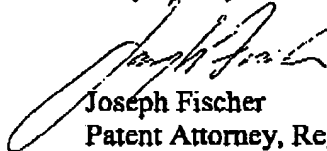
Applicant also amended the specification to overcome the objections to the brief description of Figure 1 and to follow the Examiner's suggestion of a new title.

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Allowance of the claims provided herein is respectfully requested. The Examiner is invited to call the undersigned if clarification is needed on any aspects of this Amendment/Response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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